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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LUCERO SANCHEZ,

Plaintiff,

vs.

RENOWN HEALTH, a non-profit Nevada
Corporation, and DOES 1-20, inclusive,

Defendant.

Case No.: 3:21-cv-00352-MMD-CSD

**DECLARATION OF SANDRA
KETNER IN SUPPORT OF
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

I, Sandra Ketner, hereby declares and states as follows:

1. I am over eighteen years of age and have personal knowledge of the matters set forth in this Declaration, except as to the matters stated upon information and belief, and so to those matters I believe them to be true. I could and would competently testify about the information that this Declaration contains.

2. I am an attorney licensed to practice law in the State of Nevada and am Of Counsel with the firm of Simons Hall Johnston PC, which represents Defendant Renown Health (hereinafter "Defendant" or "Renown") in this action. I also represented Defendant during the Nevada Equal Rights Commission's ("NERC") investigation into Plaintiff's allegations that preceded this action.

3. Pursuant to the Confidentiality Agreement and Stipulation for Entry of Qualified

1 Protective Order entered in this case (ECF No. 16), Defendant separately filed a Motion to File
2 Under Seal (ECF No. 68) seeking this Court's approval to file Exhibits 1-11, which include
3 Plaintiff's medical records and portions of deposition transcripts related to her medical records,
4 under seal.

5 4. Attached hereto as Exhibit B is a true and correct copy of relevant portions of the
6 Deposition of Lucero Sanchez taken on August 17, 2022.

7 5. Attached hereto as Exhibit C is a true and correct copy of Plaintiff's acceptance of
8 Renown's offer for the position of Catering Coordinator/Cashier maintained in Plaintiff's personnel
9 file, which was produced in this case as RENOWN000255 and which Plaintiff authenticated in her
10 deposition (Ex. B, Sanchez Depo. at 30:13-31:21).

11 6. Attached hereto as Exhibit D is a true and correct copy of the Catering
12 Coordinator/Cashier Position Description maintained in Plaintiff's personnel file, which was
13 produced in this case as RENOWN000257-REOWN000268 and which Plaintiff authenticated in
14 her deposition (Ex. B, Sanchez Depo. at 33:3-34:12).

15 7. Attached hereto as Exhibit E is a true and correct copy of a Personnel Action Form
16 dated 10/12/10 maintained in Plaintiff's personnel file, which was produced in this case as
17 RENOWN000603 and which Plaintiff authenticated in her deposition (Ex. B, Sanchez Depo. at
18 46:20-48:8).

19 8. Attached hereto as Exhibit F is a true and correct copy of the FNS Coordinator
20 Position Description maintained in Plaintiff's personnel file, which was produced in this case as
21 RENOWN000471-REOWN000475 and which Plaintiff authenticated in her deposition (Ex. B,
22 Sanchez Depo. at 48:9-50:16).

23 9. Attached hereto as Exhibit G is a true and correct copy of relevant portions of the
24 Deposition of Jessi Cohen taken on September 14, 2022.

25 10. Attached hereto as Exhibit H is a true and correct copy of the relevant portions of
26 the Deposition of Suzanne Oetjen taken on September 12, 2022.

27 11. Attached hereto as Exhibit I is a true and correct copy of the relevant portions of the
28 Deposition of Julie Macaluso taken on September 12, 2022.

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12. Attached hereto as Exhibit J is a true and correct copy of the relevant portions of the Deposition of Armando Hernandez-Guerrero taken on October 24, 2022.

13. Attached hereto as Exhibit K is a true and correct copy of the relevant portions of the Deposition of Guadalupe Aguilar taken on August 2, 2022.

14. Attached hereto as Exhibit L is a true and correct copy of the Affidavit of Christina Vargas, signed and notarized on December 8, 2022.

15. Attached hereto as Exhibit M is a true and correct copy of the Affidavit of Ryan Clarke, signed and notarized on November 7, 2022.

16. Attached hereto as Exhibit N is a true and correct copy of the relevant portions of the Deposition of German Pineda taken on August 18, 2022.

17. Attached hereto as Exhibit O is a true and correct copy of a Notice of Corrective Action issued to German Pineda on or about June 29, 2015, which was produced in this case as RENOWN006442-RENOWN006443 and authenticated by Pineda in his deposition (Ex. N, Pineda Depop. at 27:16-28:14).

18. Attached hereto as Exhibit P is a true and correct copy of Plaintiff's handwritten diary which she produced in this case as SANCHEZ001436-SANCHEZ001474 and authenticated in her deposition (Ex. B, Sanchez Depo. at 136:21-24, 137:22-138:5).

19. Attached hereto as Exhibit Q is a true and correct copy of Plaintiff's typewritten diary which she produced in this case as SANCHEZ001266-SANCHEZ001276 and authenticated in her deposition (Ex. B, Sanchez Depo. at 142:2-23).

20. Attached hereto as Exhibit R is a true and correct copy of Renown's Harassment Policy in effect in 2015, which Plaintiff produced in this case as SANCHEZ000742-SANCHEZ000747 and authenticated in her deposition (Ex. B, Sanchez Depo. at 145:21-146:11).

21. Attached hereto as Exhibit S is a true and correct copy of Renown's Civil Rights Non-Discrimination Notice, which Plaintiff produced in this case as SANCHEZ001048 and authenticated in her deposition (Ex. B, Sanchez Depo. at 146:12-147:6).

22. Attached hereto as Exhibit T is a true and correct copy of Renown's 2016 Harassment Training, which Plaintiff produced in this case as SANCHEZ001060-

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1 SANCHEZ001067 and authenticated in her deposition (Ex. B, Sanchez Depo. at 126:5-127:3).

2 23. Attached hereto as Exhibit U is a true and correct copy of Renown's Reasonable
3 Accommodation Policy, which Plaintiff produced in this case as SANCHEZ000761-
4 SANCHEZ000763 and authenticated in her deposition (Ex. B, Sanchez Depo. at 150:11-151:10).

5 24. Attached hereto as Exhibit V is a true and correct copy of Renown's Open Door
6 Policy, which Plaintiff produced in this case as SANCHEZ000764-SANCHEZ000765 and
7 authenticated in her deposition (Ex. B, Sanchez Depo. at 150:11-151:10).

8 25. Attached hereto as Exhibit W is a true and correct copy of the Personnel Action
9 Notice dated 12/29/16 maintained in Plaintiff's personnel file, which was produced in this case as
10 RENOWN000686 and which Plaintiff authenticated in her deposition (Ex. 1, Sanchez Depo.
11 (Sealed) at 178:17-179:6).

12 26. Attached hereto as Exhibit X is a true and correct copy of Plaintiff's Annual
13 Evaluation dated 3/18/17 maintained in Plaintiff's personnel file, which was produced in this case
14 as RENOWN000768-RENOVN000775 and which Plaintiff authenticated in her deposition (Ex. B,
15 Sanchez Depo. 236:12-22).

16 27. Attached hereto as Exhibit Y is a true and correct copy of the Charge of
17 Discrimination filed by Plaintiff with NERC, which Plaintiff produced in this case as
18 SANCHEZ000890-SANCHEZ000891 and authenticated in her deposition (Ex. B, Sanchez Depo.
19 at 157:20-158:12).

20 28. Attached hereto as Exhibit Z is a true and correct copy of a letter that Plaintiff
21 received from Latasha Cortez dated September 18, 2017, which Plaintiff produced in this case as
22 SANCHEZ000786-SANCHEZ000787 and authenticated in her deposition (Ex. B, Sanchez Depo.
23 at 240:14-241:19).

24 29. Attached hereto as Exhibit AA is a true and correct copy of the relevant portions of
25 the Deposition of Rhonda Tu taken on October 24, 2022.

26 30. Attached hereto as Exhibit BB is a true and correct copy of the Declaration of Justin
27 Bart signed on November 15, 2018, that Renown submitted to NERC in response to NERC's request
28 for information, and which NERC produced in response to a subpoena issued by Renown and

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1 Renown later produced in this case as RENOWN000886-REOWN000887.

2 31. Exhibit CC is a true and correct copy of a Coaching Document issued to and signed
3 by Plaintiff on 11/18/15, which Plaintiff produced in this case as SANCHEZ000911-
4 SANCHEZ00912.

5 32. Attached hereto as Exhibit 1 is a true and correct copy of relevant portions of the
6 Deposition of Lucero Sanchez which discuss Plaintiff's medical records. These portions of
7 Plaintiff's deposition transcript are subject to the terms of the Confidentiality Agreement and
8 Stipulation for Entry of Protective Order entered in this case on October 26, 2021 (ECF No. 16) and
9 are therefore filed under seal.

10 33. Attached hereto as Exhibit 2 are true and correct copies of Plaintiff's medical records
11 from Renown Occupational Health, which were included in Plaintiff's workers compensation claim
12 file maintained and produced by Renown Health (REOWN006590-REOWN006610) or by
13 Plaintiff (SANCHEZ000526-SANCHEZ000528) and authenticated in Plaintiff's deposition (Ex. 1,
14 Sanchez Depo. (Sealed) at 163:2-12). These medical records are subject to the terms of the
15 Confidentiality Agreement and Stipulation for Entry of Protective Order entered in this case on
16 October 26, 2021 (ECF No. 16) and are therefore filed under seal.

17 34. Attached hereto as Exhibit 3 is a true and correct copy of the Light Duty Job Offer
18 that Plaintiff accepted, which was produced in this case by Plaintiff (SANCHEZ000877) and
19 authenticated in her deposition (Ex. 1, Sanchez Depo. (Sealed) at 164:12-22). This document is
20 subject to the terms of the Confidentiality Agreement and Stipulation for Entry of Protective Order
21 entered in this case on October 26, 2021 (ECF No. 16) and is therefore filed under seal.

22 35. Attached hereto as Exhibit 4 are true and correct copies of Plaintiff's medical records
23 related to Plaintiff's treatment with Dr. James Sobiek, which were either produced by Tahoe Fracture
24 Orthopedic Clinic and Spine in response to a subpoena and authenticated by a Custodian of Records
25 Certificate (REOWN001540-REOWN001546, RENOWN001547, RENOWN001549,
26 RENOWN001553, RENOWN001554-REOWN1560, RENOWN001583) or produced by Plaintiff
27 (SANCHEZ00864, SANCHEZ000869) and authenticated in her deposition (Ex. 1, Sanchez Depo.
28 (Sealed) at 194:13-195:4, 202:1-6). These medical records are subject to the terms of the

1 Confidentiality Agreement and Stipulation for Entry of Protective Order entered in this case on
2 October 26, 2021 (ECF No. 16) and are therefore filed under seal.

3 36. Attached hereto as Exhibit 5 are true and correct copies of a photograph of a stool
4 taken by and produced in this case by Plaintiff (SANCHEZ000039-SANCHEZ000040) and
5 authenticated in her deposition (Ex. 1, Sanchez Depo. (Sealed) at 196:9-19, 198:1-9). This document
6 is part of a packet subject to the terms of the Confidentiality Agreement and Stipulation for Entry of
7 Protective Order entered in this case on October 26, 2021 (ECF No. 16) and is therefore filed under
8 seal.

9 37. Attached hereto as Exhibit 6 is a true and correct copy of a Reasonable
10 Accommodation Offer dated 7/21/17, which was produced in this case by Plaintiff
11 (SANCHEZ001096-SANCHEZ001097) and authenticated in her deposition (Ex. 1, Sanchez Depo.
12 (Sealed) at 205:6-206:8). This document is subject to the terms of the Confidentiality Agreement
13 and Stipulation for Entry of Protective Order entered in this case on October 26, 2021 (ECF No. 16)
14 and is therefore filed under seal.

15 38. Attached hereto as Exhibit 7 is a true and correct copy of the Reasonable
16 Accommodation Offer dated 11/14/17 that Plaintiff accepted, which was produced in this case by
17 Renown (RENOWN001164) and authenticated by Plaintiff in her deposition (Ex. 1, Sanchez Depo.
18 (Sealed) at 218:8-219:9). This document is subject to the terms of the Confidentiality Agreement
19 and Stipulation for Entry of Protective Order entered in this case on October 26, 2021 (ECF No. 16)
20 and is therefore filed under seal.

21 39. Attached hereto as Exhibit 8 is a true and correct copy of relevant portions of the
22 Deposition of Shawn Lavac which discuss Plaintiff's medical records. These portions of Lavac's
23 deposition transcript are subject to the terms of the Confidentiality Agreement and Stipulation for
24 Entry of Protective Order entered in this case on October 26, 2021 (ECF No. 16) and are therefore
25 filed under seal.

26 40. Attached hereto as Exhibit 9 is a true and correct copy of relevant portions of the
27 Deposition of James Sobiek, M.D., which discuss Plaintiff's medical records. These portions of Dr.
28 Sobiek's deposition transcript are subject to the terms of the Confidentiality Agreement and

1 Stipulation for Entry of Protective Order entered in this case on October 26, 2021 (ECF No. 16) and
2 are therefore filed under seal.

3 41. Attached hereto as Exhibit 10 is a true and correct copy of relevant portions of the
4 Deposition of Sanjai Shukla, M.D., which discuss Plaintiff's medical records. These portions of Dr.
5 Shukla's deposition transcript are subject to the terms of the Confidentiality Agreement and
6 Stipulation for Entry of Protective Order entered in this case on October 26, 2021 (ECF No. 16) and
7 are therefore filed under seal.

8 42. Attached hereto as Exhibit 11 is a true and correct copy of relevant portions of the
9 Deposition of Richard Brown, which discuss Plaintiff's medical records. These portions of Brown's
10 deposition transcript are subject to the terms of the Confidentiality Agreement and Stipulation for
11 Entry of Protective Order entered in this case on October 26, 2021 (ECF No. 16) and are therefore
12 filed under seal.

13 I declare under penalty of perjury under the laws of the United States of America and the State
14 of the Nevada that the foregoing is true and correct.

15 DATED: August 11, 2023

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